

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 13<sup>th</sup> DAY OF SEPTEMBER 2004, AT 7:15 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	James D. Politis	-Chair
	Annette S. Perkins (Arrived 7:50 p.m.)	-Vice Chair
	Mary W. Biggs	-Supervisors
	Gary D. Creed	
	John A. Muffo	
	Steve L. Spradlin	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Ron Bonnema	-County Engineer
	Neil Turner	-Emergency Services Coordinator
	T.C. Powers	-Planning Director
	Robert C. Parker	-Public Information Officer
	Vickie L. Swinney	-Secretary

ABSENT: Doug Marrs -Supervisor

### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The Chair called the meeting to order and the Pledge of Allegiance was recited.

### **PUBLIC ADDRESS SESSION**

Kenneth Shrewsberry addressed the Board about drinking water problems at Oak Forest Mobile Home Park and requested the Board of Supervisors to inform the Public Service Authority.

Martha Howard addressed the Board about concerns with the Building Inspections Department. She expressed frustration with the procedures and fees relating to mobile home inspections. It appears to

Ms. Howard the rules and codes change daily and with every inspection.

Jonathan McGlumphy spoke in opposition to the County purchasing new electronic voting machines. Mr. McGlumphy feels that a paper verification is critical and believes that the County should wait until the General Assembly publishes their report and recommendations on the study being performed on electronic voting machines.

David Scheim spoke in opposition to the purchase of electronic voting machines. Mr. Scheim noted that the local delegates for Montgomery County have voiced serious concerns with electronic voting machines lacking a voter verified paper trail. A growing number of states have made a voter paper trial mandatory and federal legislation is garnering support to make this a national requirement. Mr. Scheim noted that a new Poplux electronic voting machine with a voter verification capability has just been approved by Wyle Labs, the federal certifying lab for the HAVA act. These machines will likely be certified by many states, including Virginia, within a year. Mr. Scheim believes the County would be more fiscally prudent and better served if they hold off on any voting machine purchase until a minimally acceptable unit is certified by the State.

Alan Moore expressed concerns with electronic voting machines. He suggested there would be a debate regardless of what type of voting machines are used.

Clay Blevins addressed the Board in reference to the appointments to the Towing Advisory Board. Mr. Blevins requested to be considered to serve on the Towing Advisory Board. He is a business owner in Christiansburg and believes his knowledge of business would be a valuable asset to the Towing Advisory Board. Mr. Blevins thanked the Board of Supervisors for their consideration and time.

Tom Joy spoke in opposition to the purchase of electronic voting machines. Mr. Joy expressed his concerns with the lack of voter paper verification on any machine. He also expressed concern with the wireless aspect of the Win Vote Machine. He suggested the Board wait to purchase new voting machines until the State of Virginia mandates a paper trail.

Barry Harmon asked to be considered for appointment to the Towing Advisory Board. Mr. Harmon owns a towing business in Christiansburg and believes he will bring considerable knowledge of the business to the Towing Advisory Board.

Jeff Gibson asked to be considered for appointment to the Towing Advisory Board. Mr. Gibson owns a small towing business in Christiansburg and has been in business for five years.

Lucy Goldberg addressed the Board about concerns with the purchase of the electronic voting machines without a voter verified paper trail. She stated that in dozen of cases nationwide, many of which she believed changed election outcomes, vendors blamed some technology glitch in the electronic voting machines.

Ms. Goldberg stated there are newer machines with voter verified paper trails that have been approved at the federal level and are now working through state approval processes. She believes the County should wait to purchase the WinVote Machine, as recommended by the Montgomery County Electoral Board, until a voter verified paper trail is available.

Leanne Mitchell expressed concerns the electronic voting machines lacking voter verified paper trails. Ms. Mitchell explained that Nevada is the first state to implement voting machines with voter verification. These machines, made by Sequoia Voting Systems, allow voters to review their ballot before they leave the booth. She believes the Board should wait to consider the purchase of the WinVote machines until voter verification is required.

Brenda Eanes, Secretary of the Montgomery County Electoral Board, spoke in support of the purchase of the WinVote machines and requested the Board of Supervisors to authorize the purchase of 110 as requested by the Electoral Board. Ms. Eanes expressed the importance of the time and believes the Board must move ahead. She is confident that the Electoral Board has made the right decision on which machine to purchase. Ms. Eanes explained that the Voter Registrar needs time to train all polling workers and hold demonstrations.

Rosalie Paige, Montgomery County Electoral Board, addressed the Board regarding the purchase of the WinVote Machines. Ms. Paige stated she has served on the Electoral Board for four years. She explained the decision by the Electoral Board was not a decision made overnight. The Electoral Board started the process of researching new voting machines three years ago. They have attended seminars, conferences and received numerous amount of information on each voting machine they had to select from. They spent numerous hours evaluating all equipment. from January 2004 to July 2004, acheduling demonstrations by the vendors and visiting other localities that already use electronic voting machines. Ms. Paige urged the Board to follow the federal mandate to have electronic machines in use by 2006.

Dean Dowdy, Chair Montgomery County Electoral Board, addressed the Board regarding the purchase of the WinVote Machines. Mr. Dowdy clarified that the WinVote machine will not be used in the November election but will only be set up for demonstration purposes. Mr. Dowdy explained the State of Virginia does not require a voter verification trail at the present time. He believes that if the State Board of Elections makes the decision to require a voter verification trail, it will take several years to implement, due to certification and specifications to be worked out. He indicated that WinVote is currently working on a printer for voter verification but he wanted to make it clear

that the federal government has no specifications at this time for voter verifications. Mr. Dowdy explained if the WinVote machines were purchased now, they would be able to set up demonstrations at all polling precincts in November 2004 and inform the citizens. They will be in use for the June 2005 primaries and be used in the November 2005 election.

Randy Wertz, Montgomery County Voter Registrar, addressed the Board regarding the purchase of the WinVote Machines. Mr. Wertz stated he hoped to clear up a few misconceptions stated tonight. He stated the Sequoia machine mentioned earlier tonight uses a reel to reel tape and is using old outdated technology. Also, the use of wireless technology will only be used when programming the WinVote machines prior to elections, such as programming the ballot. Each machine will be a stand alone machine and not connected to each other. Mr. Wertz explained that the WinVote machines have three places votes are stored in case of a failed machine. The machines will be secured, there will be no chance of hacking into the system. Mr. Wertz also explained that any voting machine considered for purchase must be certified both at the national and state level. The State Board of Elections has not at this time certified any machine that is capable of a paper trail. The WinVote Machine does have the capability of adding a printer at a later date if a paper trail is mandated. Mr. Wertz believes the Montgomery County Board of Elections has chosen the machine most advanced in technology and best serve the County. He urged the Board to consider the purchase of 110 WinVote machines as recommended by the Montgomery County Board of Elections.

Delegate Dave Nutter spoke briefly about the concerns of the General Assembly with electronic voting machines. Delegate Nutter indicated the leadership of the house suggests localities wait until December 2004 for the report from the committee formed to research the electronic voting machines. There may be changes and new mandates created by the State on the purchase of electronic voting machines.

The Board expressed their concern with purchasing new machines before the General Assembly releases recommendations in December 2004. They acknowledged the Registrar's concern with training and time issues but believe it is in the best interest of the County to purchase only 21 WinVote machines at this time.

There being no further speakers, the public address session was closed.

### **ADDENDUM**

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously, the following addendum dated September 13, 2004 was added to the agenda.:

### **Into Closed Meeting**

- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body

1. County Government Center

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Doug Marrs
Gary D. Creed		
Steve L. Spradlin		
Mary W. Biggs		
Annette S. Perkins		
James D. Politis		

**CONSENT AGENDA**

On a motion by Mary W. Biggs, seconded by Steve L. Spradlin and carried unanimously, the Consent Agenda dated September 13, 2004 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Doug Marrs
Steve L. Spradlin		
Annette S. Perkins		
Gary D. Creed		
John A. Muffo		
James D. Politis		

**R-FY-05-47**  
**SCHEDULE A PUBLIC HEARING ON THE PROPOSED ORDINANCE**  
**AUTHORIZING CERTAIN PERSONS SIXTEEN YEARS OF AGE OR OLDER**  
**TO PARTICIPATE IN VOLUNTEER FIRE COMPANY ACTIVITIES**

On a motion by Mary W. Biggs, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby schedules a public hearing for Tuesday, October 12, 2004, at 7:15 p.m., or as soon thereafter, in the Board Chambers, 2<sup>nd</sup> Floor, Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia, to hear citizens comments on the following:

**AN ORDINANCE AUTHORIZING CERTAIN PERSONS SIXTEEN YEARS OF AGE OR OLDER WITH PARENTAL OR GUARDIAN APPROVAL TO PARTICIPATE IN VOLUNTEER FIRE COMPANY ACTIVITIES**

**R-FY-05-48  
REQUEST FOR ADDITION TO AGRICULTURAL  
AND FORESTAL DISTRICT  
( AFD-5 RINER)**

On a motion by Mary W. Biggs, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby refer the following request for addition to an existing Agricultural and Forestal District (AFD) to the Planning Commission and the AFD Advisory Committee for their action pursuant to Chapter 2, Division 7 of the Montgomery County Code and Title 15.2, Chapter 43 of the Code of Virginia, 1959, as amended.

**AFD-5 Riner**

Addition of 31 acres owned by Jeff Armistead on Sidney Church Road (SR 606), Riner Magisterial District.

**R-FY-05-40  
FINAL PLAT - PHASES 1 AND 2  
OF CLOVERLEA SUBDIVISION**

On a motion by Mary W. Biggs, seconded by Steve L. Spradlin and carried unanimously,

WHEREAS, Phases 1 and 2 of Cloverlea Subdivision consists of 73 lots located off Riner and Fairview Church Roads and has been found to meet the requirements of the Montgomery County Code Chapter 8, Article IV (Subdivision Ordinance); and

WHEREAS, The Montgomery County Code, Section 8-156 provides that a subdivider shall make adequate provision for storm and floodwater runoff and that if a subdivision involves new streets, the Virginia Department of Transportation shall determine that adequate provision for runoff

will be taken; and

WHEREAS, The Virginia Department of Transportation requires that Montgomery County assume maintenance responsibility and liability that might arise from detention facilities in subdivisions; and

WHEREAS, The Montgomery County Code, Section 8-157 provides for approval by the County of stormwater detention facilities conditioned upon agreement being entered into by the County and a homeowners association whereby the association assumes all liability for the maintenance and operation of the stormwater detention facilities; and

WHEREAS, The developer of Cloverlea Subdivision has agreed that said responsibility shall be assumed by the homeowners association.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Final Plats of Phase 1 and 2 of Cloverlea Subdivision (Gay and Keesee Inc. Job No. 1162.2 dated 03/04/04 for Phase 1 and 09/10/04 for Phase 2), Riner Magisterial District.

FURTHER, The Chairman is hereby authorized to sign said plats for recordation.

## **OLD BUSINESS**

### **ORD-FY-05-08**

**An Ordinance Amending the Zoning Classification  
of 11.142 acres identified as Tax Parcel # 127-A-24A  
from Agriculture (A-1) to Rural Residential (R-R)  
located on the southeast side of Childress Road  
approximately 630 feet north of the Sassafrass Road intersection  
Requested by Hash Investments**

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of approximately 11.142 acres of land is hereby amended and rezoned from the zoning classification Agriculture (A-1) to Rural Residential (R-R) with the following proffered conditions:

1. All lots in the proposed subdivision will be accessed from the proposed street. No lots will access off of Childress Road.
2. The subdivision will be developed in general conformance with the conceptual plan by Gay and Keese, Incorporated dated July 1, 2004, last revised August 23, 2004.

This action was commenced upon the application of Hash Investments, LLC (Agent: Gay and Keese, Inc).

The property is located on the southeast side of Childress Road approximately 630 feet north of the Sassafrass Road intersection and is identified as Tax Parcel No. 127-A-24A (Acct ID # 110047) in the Riner Magisterial District. The property currently lies in an area designated as Agricultural/Rural in the Comprehensive Plan  
The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Steve L. Spradlin	None	Doug Marrs
Annette S. Perkins		
Gary D. Creed		
John A. Muffo		
Mary W. Biggs		
James D. Politis		

**R-FY-05-41**  
**Special Use Permit Amendment**  
**Quorum Holding Corporation**

On a motion by Steve L. Spradlin, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Quorum Holding Corporation (Agent: Gay and Keese, Inc.) requests an amendment to a Special Use Permit approved on May 10, 2004 for 2.029 acres in General Business (GB) is hereby approved subject to the following conditions:

1. A detailed site plan showing parking, landscaping, lighting, elevation views etc. shall be provided in compliance with Section 10-52 of the zoning ordinance prior to opening the business.
2. Prior to issuance of a Montgomery County Building Permit, that applicant must have a VDoT entrance permit.



3. Entrance to said business shall be via use of the existing entrance – a new entrance off of Route 460 shall not be created. ***A new exit only ramp onto 460 Business Route may be created with a VDoT permit.***
4. Storm water from the proposed building and parking areas shall be captured on site and conveyed to an adequate channel.

The property is located at 3950 South Main Street and is identified as Tax Parcel Nos. 67-4-5F (Acct ID # 035453) in the Prices Fork Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Doug Marrs
Gary D. Creed		
John A. Muffo		
Mary W. Biggs		
Steve L. Spradlin		
James D. Politis		

**ORD-FY-05-09**  
**ORDINANCE AMENDING CHAPTER 10,**  
**ENTITLED ZONING ORDINANCE, SECTIONS 10-27(5)(C),**  
**OF THE CODE OF THE COUNTY OF MONTGOMERY, VIRGINIA**  
**ALLOWING CERTAIN DEVELOPMENT IN THE 100 YEAR FLOOD PLAIN**

On a motion by Gary D. Creed, seconded by Steve L. Spradlin and carried unanimously,

**Sec. 10-27. RM-1 Multiple-Family Residential District.**

(1) *Purpose.* The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations in the Multiple-Family Residential, RM-1 district. This district provides for multiple-family residences and is for the purpose of accommodating the construction of townhouse developments and garden-type apartments in appropriate locations in order to provide convenient and compact residential neighborhoods, efficient provision of public facilities and services, and a range of housing prices, including moderate priced housing.

(2) *Qualifying lands.* Lands qualifying for inclusion in the RM-1 zoning district shall be RM-1 Residential on the date of adoption of this chapter and other lands within areas mapped as urban expansion in the comprehensive plan. The minimum area required to create a district is one (1) acre of total contiguous land.

(3) *Uses permitted by right.* The following uses are permitted by right, subject to compliance with all approved plans and permits, development standards and performance standards contained in this chapter, and with all other applicable regulations.

(a) Church

(b) Dwelling, single-family attached (townhouse).

(c) Dwelling, two-family (duplex).

(d) Dwelling, multifamily (apartment).

(e) Home occupation.

(f) Pet, household.

(g) Public facility.

(h) Public utility lines, other.

(i) Public utility lines, water or sewer.

(j) School.

(k) Telecommunications tower, attached.

(4)(i) Uses permissible by special use permit. The following uses may be permitted by the board of supervisors as special uses, subject to the requirements of this chapter and to all other applicable regulations:

(a) Cemetery.

(b) Civic club.

(c) Country club.

(d) Congregate care facility.

- (e) Day care center.
  - (f) Dormitory.
  - (g) Fire, police and rescue stations.
  - (h) Funeral home.
  - (i) Golf course.
  - (j)) Group home.
  - (k) Medical care facility.
  - (l) Nursing home.
  - (m) Park, lighted or unlighted.
  - (n) Playground, lighted or unlighted.
  - (o) Public utility substations.
  - (p) Senior living facility.
- (4)(ii) The following uses may be permitted by the Board of Zoning Appeals as Special Uses subject to the requirements of this Chapter and all other applicable regulations:
- (a) Accessory structures greater than 1200 square feet in area and/or eighteen (18) feet in height
- (5) *Lot requirements.*
- (a) *Minimum lot area.*
    - 1. *For single-family attached (townhouse) units:* Two thousand (2,000) square feet minimum lot area. Sixteen (16) feet minimum lot width.
    - 2. *For all other uses:* Six thousand (6,000) square feet minimum lot area.
  - (b) *Lot access.* Lot shall be accessed from a road in the Virginia Department of Transportation (VDOT) system or from a hard-surfaced road designed by a professional

engineer to accommodate projected volumes, loads and vehicle types and approved by the zoning administrator.

(c) *Maximum lot coverage.*

1. Forty (40) percent of gross site area.
2. Gross development density of single-family attached units shall not exceed eight (8) dwellings per acre; ~~the net density shall not exceed ten (10) dwellings per acre.~~
3. Gross development density of multifamily units shall not exceed twelve (12) dwellings per acre; ~~the net density shall not exceed fifteen (15) dwellings per acre.~~
4. Impervious surfaces shall not exceed sixty (60) percent of the gross site area.

(d) *Minimum green space.*

1. Fifteen (15) percent of the gross acreage of the tract shall be reserved as common green space, developed as active recreation and/or passive park use. All such green space lots shall have a length/width ratio of no less than five to one (5-1).
2. Active recreation space shall be suitably graded and equipped for active recreational facilities to serve the residents of the development. Passive park space shall be designed to preserve important site amenities and environmentally sensitive areas.
3. Multi-family and single family attached developments of more than twenty (20) individual units shall create an active recreation area of no less than ten thousand (10,000) square feet in area and incorporate a playground and items such as tot lots, school bus shelters and other community facilities deemed appropriate by the rezoning administrator at time of site plan review.

(e) *Minimum width.* Sixty-four (64) feet at the setback line of the front yard for multifamily structures; sixteen (16) feet for townhouse units.

(6) Building requirements.

(a) *Minimum yards.*

1. *Front.* Twenty-five (25) feet.
2. *Side.* Twenty-five (25) feet.

- a. Between townhouse groups and two-family units: Fifteen (15) feet.
- b. Between two-family or end townhouse unit and lot line: Twenty-five (25) feet.
- c. Between multifamily structures: Twenty-five (25) feet
- d. Between multifamily structures and the lot line: Twenty-five (25) feet.

All required side yard dimensions in between townhouse groups and between multifamily structures set forth above are the minimum dimensions that must be clear of other structures such as air handling units and storage units, so as to allow passage of emergency vehicles.

- 3. *Rear.* Thirty (30) feet.
- 4. *Accessory buildings.* Ten (10) feet to any side or rear lot line.
- (b) *Maximum building height.* Thirty-five (35) feet in height from grade, except that:
  - 1. The height limit for dwellings may be increased up to ten (10) feet, provided that there are two (2) side yards for each permitted use, each of which is fifteen (15) feet or more, plus one (1) foot or more of side yard for such additional foot of building height over thirty-five (35) feet.
  - 2. A public or semipublic building such as a school, church, library or hospital may be erected to a height of sixty (60) feet from grade, provided that required front, side and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.
  - 3. No accessory building which is within ten (10) feet of any party lot line shall be more than one (1) story high. All accessory buildings shall be less than the main building in height.
- (c) *Groups of single-family attached dwellings (townhouses).* No more than eight (8) and not less than three (3) single-family attached dwellings (townhouses) shall be included in one (1) connected group.
- (7) *Use limitations.*
  - (a) *Public water and wastewater service.* Public water and wastewater services are required for all development in the RM-1 district.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Doug Marrs
Mary W. Biggs		
Steve L. Spradlin		
Annette S. Perkins		
Gary D. Creed		
James D. Politis		

**R-FY-05-42**  
**MEADOWBROOK CENTER**  
**SECOND LETTER OF INTEREST**  
**TO VIRGINIA DEPARTMENT OF HOUSING**  
**AND COMMUNITY DEVELOPMENT**

On a motion by Gary D. Creed, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby authorizes the County Administrator to submit a revised letter of interest to the Virginia Department of Housing and Community Development for a Planning Grant in the amount of \$25,000 to assist Montgomery County in conducting further project planning for a community services facility in Shawsville to be located in the old Meadowbrook Nursing Home.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Doug Marrs
Steve L. Spradlin		
Annette S. Perkins		
John A. Muffo		
Gary D. Creed		

James D. Politis

**R-FY-05-43**  
**AUTHORIZATION TO PURCHASE**  
**WIN-VOTE MACHINES**

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried,

WHEREAS, The Montgomery County Electoral Board has studied, evaluated and selected the WIN-Vote machine produced by Advanced Voting Solutions; and

WHEREAS, The Montgomery County Electoral Board requested the Montgomery County Board of Supervisors to authorize the purchase of the WIN-Vote machine produced by Advanced Voting Solutions.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia, authorizes the purchase of 21 WIN-Vote machines in order for citizens of the County to preview the machines at the voting precincts during the November 2004 election.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Steve L. Spradlin	Mary W. Biggs	Doug Marrs
Annette S. Perkins		
John A. Muffo		
Gary D. Creed		
James D. Politis		

Supervisor Biggs stated she did not feel comfortable voting on this issue at this time. The Montgomery County Board of Elections has stated they want to purchase 110 machines, not 21 machines, and they don't know if the State will reimburse them for a partial purchase, so she will vote no at this time.

**NEW BUSINESS**

On a motion by Annette S. Perkins, seconded by John A. Muffo and carried unanimously,

**A-FY-05-29**  
**ESTABLISH A DEBT SERVICE FUND**  
**AND TRANSFER OF FUNDS**

September 13, 2004  
Page 15 of 34

WHEREAS, A Debt Service Fund accounts for the resources used for interest and principal payments on governmental long-term debt; and

WHEREAS, Historically the County budget and annual appropriation has included debt service resources for school projects in the School Operating Fund and debt service resources for other County projects in the General Fund; and

WHEREAS, A Debt Service Fund would enable the County's budget documents and accounting reports to reflect the same fund structure; thereby improving clarity; and

WHEREAS, The Montgomery County School Board, at their August 17, 2004 meeting approved the creation of a Debt Service Fund and the transfer of resources used for debt service payments from the School Operating Fund to a separate Debt Service Fund; and

WHEREAS, The Debt Service Fund will aggregate debt service payments by project, enabling the identification of school project payments and county project payments.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a Debt Service Fund is hereby established.

BE IT FURTHER RESOLVED, That a transfer is authorized as follows:

**FROM:**

School Operating Fund		
570040	Debt Service	(\$7,319,232)
County General Fund		
920	Debt Service	(\$3,545,065)
		(10,864,297)

**TO:**

Debt Service Fund	\$10,864,297
-------------------	--------------

Said resolution establishes a debt service fund and transfers FY 05 funds appropriated for debt service from the School Operating and County General Funds to the Debt Service Fund.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Doug Marrs
John A. Muffo		



Gary D. Creed  
Mary W. Biggs  
Steve L. Spradlin  
James D. Politis

**A-FY-05-30**  
**GENERAL FUND ESCROW REQUEST**

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

100	Board of Supervisors	\$9,700
110	County Administrator	\$25,760
140	Information Management Services	\$338,335
152	Commissioner of Revenue	\$23,116
162	Treasurer – Collections	\$39,037
180	Internal Services	\$14,500
210	Circuit Court	\$14,180
220	General District Court	\$500
230	Juvenile Domestic Relations	\$2,245
250	Clerk of Circuit Court	\$5,500
320	Sheriff – County	\$53,085
400	General Services	\$224,463
510	Comprehensive Services Act	\$374,824
520	Human Services	\$3,796
700	Parks and Recreation	\$22,900
710	Library	\$31,048
720	Floyd Library	\$5,363
800	Planning and Inspections	<u>\$12,200</u>
	Total	\$1,200,552

The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
451205	General Fund Balance
	\$1,200,552

Said resolution appropriates monies remaining from the prior year for use in the current year to complete projects and to provide funding for costs over and above those encumbered by purchase orders.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Doug Marrs
Gary D. Creed		
Mary W. Biggs		
Steve L. Spradlin		
Annette S. Perkins		
James D. Politis		

**A-FY-05-31**  
**SCHOOL OPERATING FUND**  
**ESCROW REQUESTS**

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the school Operating Fund and School Cafeteria Funds were granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

<u>School Operating</u>		
561000	Instruction	26,408
564000	Operations and Maintenance	347,757
School Cafeteria		<u>127,775</u>
Total		501,940

The sources of funds for the foregoing appropriation is as follows:

<u>Revenue Account:</u>		
451204	Fund Balance	\$501,940

Said resolution appropriates unspent school operating funds remaining at June 30, 2004.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Doug Marrs
Mary W. Biggs		

Steve L. Spradlin  
Annette S. Perkins  
John A. Muffo  
James D. Politis

**A-FY-05-32**  
**SHERIFF -COMMUNICATION EQUIPMENT**  
**SUPPLEMENTAL APPROPRIATION**

On a motion by Gary D. Creed, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005 for the function and in the amount as follows:

320	Sheriff- County	\$305,000
-----	-----------------	-----------

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451203	Designated Fund Balance	\$305,000
	Capital Reserve	

Said resolution appropriates monies to purchase communications equipment for the Sheriff's Office and Long Shop/McCoy Fire & Rescue.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Doug Marrs
Steve L. Spradlin		
Annette S. Perkins		
John A. Muffo		
Gary D. Creed		
James D. Politis		

**A-FY-05-33**  
**Resolution Appropriating Funds**  
**to the League of Women Voters**  
**for the 2005 Facts For Voters Publication**

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, By the Montgomery County Board of Supervisors that a transfer is hereby authorized as follows:

FROM:

950 General Contingencies (\$200)

TO:

910 Other Agencies  
League of Women Voters \$200

Said resolution transfers funds from General Contingencies to support the League of Women Voters publication of the 2005 Facts for Voters.

The vote on the foregoing resolution was as follows:

AYE

Steve L. Spradlin  
Annette S. Perkins  
John A. Muffo  
Gary D. Creed  
Mary W. Biggs  
James D. Politis

NAY

None

ABSENT

Doug Marrs

**R-FY-05-44**  
**COMPREHENSIVE SERVICES ACT**  
**REQUEST TO LEGISLATORS**

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Comprehensive Services Act authorizes expenditure of funds for residential placements of foster children and each locality has a required local match for these expenditures; and

WHEREAS, Over the past ten years the cost of residential placements has soared and there is no mechanism for controlling that cost; and

WHEREAS, The state Office of Comprehensive Services has declined multiple requests that it use the bargaining power of a statewide program to set rates with the private residential service providers, although it has done so in other programs; and

WHEREAS, The Virginia Association of Counties will request that the General Assembly direct the Office of Comprehensive Services, through legislation, to act as a rate-setting body for residential services for the Commonwealth's foster children; and

WHEREAS, The Program Improvement Plan required by the federal Child and Family Services Review has reviewed all 50 states and for adequacy of their child welfare programs; and

WHEREAS, Each state is required to submit a Program Improvement Plan (PIP) to address the findings that did not meet federal requirements, and there is significant financial penalty for not submitting this plan; and

WHEREAS, Virginia has submitted its PIP and is waiting for final approval by the federal government; and

WHEREAS, Once the plan is approved, there is an even larger fiscal penalty for not accomplishing what it entails; and

WHEREAS, The activities outlined in Virginia's PIP will have a huge fiscal impact, requiring staff and other resources to carry it out; and

WHEREAS, There is concern that the state accept responsibility for funding these activities rather than creating an enormous unfounded mandate for localities; and

WHEREAS, There will be a budget request from the Virginia Department of Social Services to the legislature to fund the activities required by the PIP.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby requests Senator John Edwards, Senator Brandon Bell, Delegate Jim Shuler and Delegate Dave Nutter to support legislation directing the Office of Comprehensive Services to act as a rate-setting body for residential services for the Commonwealth's foster children.

BE IT FURTHER RESOLVED, The Board of Supervisors requests that our legislators support a budget request to fund the activities required by the PIP.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Doug Marrs
John A. Muffo		
Gary D. Creed		
Mary W. Biggs		
Steve L. Spradlin		

James D. Politis

**R-FY-05-45**  
**PRICE’S FORK ROAD (SR 685) REQUEST**  
**FOR “WATCH FOR TURNING VEHICLES” SIGNS**

On a motion by Steve L. Spradlin, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia respectfully requests the Virginia Department of Transportation to install “Watch for Turning Vehicles” signs on Price’s Fork Road (SR 685) entering the Price’s Fork community.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Doug Marrs
Gary D. Creed		
Mary W. Biggs		
Annette S. Perkins		
Steve L. Spradlin		
James D. Politis		

**INTO WORK SESSION**

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session of the purpose of discussing the following:

1. Conservation Easements
2. Review of Proposed Riner Satellite Rescue Station
3. Blacksburg Fire & Rescue –CIP Requests

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Doug Marrs
Mary W. Biggs		

Annette S. Perkins  
Steve L. Spradlin  
John A. Muffo  
James D. Politis

### **Conservation Easements**

At the Board of Supervisors May 24, 2004 meeting, the Board discussed opportunities for county support of conservation easements with the Planning Director and Beth Obenshain, New River Land Trust. It was the consensus of the Board of Supervisors to move forward with development of a loan fund for conservation easements to help lower income landowners who wish to put their land into conservation easements but have no funding.

The Planning Director reported he has been working with Ms. Obenshain and recommended the following:

1. Establish a Revolving Loan Fund for Conservation Easement Administration Costs. This fund will assist lower income landowners with the up front costs of establishing a conservation easement on their land. This fund will require funding from the County and it is recommended that \$20,000 be allocated; and
2. Establish an Acquisition Fund for Conservation Easements. This will be funded from roll-back taxes received by the County under the Land Use Assessment and Taxation Program when landowners in the program change the land out of agriculture, horticulture or open space use. These funds will be used to acquire land for conservation easements. No initial funding is required.

The Planning Director explained that New River Land Trust (NRLT) would administrator the Revolving Loan Fund for Conservation Easement Administrative Costs. An annual agreement would be entered between the Board and NRLT. The County would administrator the Acquisition Fund, and organizations such as the NRLT, desiring to purchase conservation easements, would petition the Board

The Planning Director stated a resolution for consideration on the above will be included on the Board's September 27, 2004 agenda.

Supervisor Politis believes this is a right step in Montgomery County preserving open space. He also asked the Board to consider in the future allocating ½ cent of the real estate tax for conservation easements. This will be added to the FY 05/06 budget discussions.

### **Proposed Satellite Rescue Station in Riner**

The Emergency Services Coordinator made a presentation on the proposed satellite rescue station to be located in Riner. The Christiansburg Rescue Squad is currently serving the residents of the Riner area. The response times are often lengthy, depending on the location of the call. With the addition of this station response time could be reduced. The Christiansburg Rescue Squad answered 258 calls in the County last year, with 113 being in the Riner area. The satellite rescue station will be part of the Christiansburg Rescue Squad.

A needs assessment study was performed and it was recommended that a structure be provided to house a minimum of one ambulance; trained personnel to man the ambulance; a facility that would allow members to stay in quarters to await calls; and a facility that would allow for future growth. Staff has reviewed possible sites and selected the site near the Riner Consolidated Collection Site, located on school property. A request was made to the School Board for approval of the concept location and the School Board agreed with the location and the land being used for the Rescue Building. The property will satisfy the current needs as well as future expansion.

The County Engineer presented a plan for the proposed building and estimated cost of construction. There is a three phase construction plan as follows:

1. Phase I consists of 2,844 square feet and will consist of one bay to allow up to two vehicles. The building will consist of an office, kitchen, sleeping area. Estimated cost for Phase I is \$213,300.
2. Phase II consists of construction of an additional 1,184 sq. feet. This will be added onto the vehicle bay allowing the storing of four vehicles. Estimated cost is \$76,960.
3. Phase III consists of construction of an additional 1,012 sq. ft. This will add additional space for the office and living quarters. Estimated cost is \$65,780.

Total cost of the project for all three phases is estimated at \$356,040.

The Emergency Services Coordinator explained equipping and funding the proposed project. The Christiansburg Rescue Squad (CRS) will have a surplus ambulance that can be transferred to the satellite station for a short term, and a new ambulance will need to be purchased within one year of occupancy. All other future vehicle needs will be requested in the County's CIP. CRS will hold a membership drive in the Riner area and new members will be trained in the Christiansburg station until the building is constructed and then all training can occur in Riner. An EMT class begins in October 2004 and their goal is to have new volunteers in this class. Also, the CRS has proposed a fund drive in order to fund this request along with seeking grant funding.

The Emergency Services Coordinator requested that the Board consider approving the concept of a

September 13, 2004

Page 24 of 34



satellite station in Riner, approve the preliminary drawings shown before them tonight, approve the fund drive at the request of the CRS, and approve alternate source funding opportunities.

### **Blacksburg Fire & Rescue –CIP Requests**

The County Administrator received a request from the Blacksburg Volunteer Fire Department (BVFD) to reconsider their request for funding for the proposed South Blacksburg Fire Station. Apparently, this request was included in the Capital Improvement Program and was approved for the amount of \$35,000. The County's CIP Technical Committee reviewed the CIP request form which showed a request from the County for 1/3 of the total project. The Technical Committee translated this into \$35,000 for FY 05.

The BVFD submitted an updated CIP Request form requesting the County to fund 1/5 of the total cost of \$1.2 million. The request was for \$250,000. The Chief of BVFD advised that the appropriation of \$35,000 was insufficient for the project to proceed and asked if the County would agree to commit to funding the \$250,000 needed in the next fiscal year. If the Board makes the commitment for funding, then the BVFD would move forward with the project.

The County Administrator also reported the Blacksburg Volunteer Rescue Squad (BVRS) reported filing a CIP request for \$59,000 to fund the replacement of the "Jaws of Life" equipment. This request was not received and thus not processed by the CIP Technical Review Committee. The BVRS reported this equipment is twenty years old, which has failed and been rebuilt. The original request was for \$59,000 but BVRS reported that the Town of Blacksburg provided half, or \$29,500. The BVRS has asked that the Board of Supervisors consider funding the remaining \$29,500.

The County Administrator recommended that this request be considered and funded from its Capital Reserve Fund.

### **OUT OF WORK SESSION**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Doug Marrs
Annette S. Perkins		

Steve L. Spradlin  
John A. Muffo  
Gary D. Creed  
James D. Politis

**A-FY-05-34**  
**BLACKSBURG VOLUNTEER RESCUE SQUAD**  
**SUPPLEMENTAL APPROPRIATION**

On a motion by Annette S. Perkins, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005 for the function and in the amount as follows:

230	Fire and Rescue	\$29,500
	Blacksburg Rescue Squad	

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451203	Designated Fund Balance	\$29,500
	Capital Reserve	

Said resolution appropriates monies to purchase "Jaws of Life" equipment for the Blacksburg Rescue Squad.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Steve L. Spradlin	None	Doug Marrs
Annette S. Perkins		
Gary D. Creed		
John A. Muffo		
Mary W. Biggs		
James D. Politis		

**R-FY-05-50**  
**BLACKSBURG FIRE DEPARTMENT**  
**SOUTH MAIN/AIRPORT STATION**

On a motion by Annette S. Perkins, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia supports the request by the Blacksburg Fire Department for additional funds for the proposed South Main/Airport Station and approves the inclusion of the \$215,000 in additional funding be included in the FY 05-06 Capital Budget.

FURTHER, BE IT RESOLVED, The Board directs staff to investigate the availability of state and federal funds to support this project.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Steve L. Spradlin	None	Doug Marrs
Annette S. Perkins		
Gary D. Creed		
John A. Muffo		
Mary W. Biggs		
James D. Politis		

**R-FY-05-49**  
**RESOLUTION APPROVING THE CONCEPT**  
**OF THE CHRISTIANSBURG RESCUE SQUAD**  
**RINER STATION**

On a motion by Gary D. Creed, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery Virginia hereby approves the concept plan for a satellite rescue station in the Riner area of Montgomery County to be known as the Christiansburg Rescue Squad/Riner Station and approves the preliminary drawings for the proposed sub-station.

BE IT FURTHER RESOLVED, The Board of Supervisors approves the request of the Christiansburg Rescue Squad to conduct a Fund Drive in order to seek funding for the Christiansburg Rescue Squad/Riner Station and approves the request to seek alternative funding sources such as grants for the project.

The vote on the foregoing resolution was as follows:

AYE

Mary W. Biggs  
Steve L. Spradlin  
Annette S. Perkins  
Gary D. Creed  
John A. Muffo  
James D. Politis

NAY

None

ABSENT

Doug Marrs

**BOARD MEMBERS' REPORTS**

Supervisor Muffo reported that Lt. Governor Tim Kain was in Blacksburg on September 1, 2004 and talked about a joint effort with the courts and community services to help keep citizens out of jail.

Kent Square Ribbon Cutting was held on September 3, 2004 with Governor Warner in attendance.

Virginia Tech Honors Class is working with Montgomery County on two projects, public safety and data issues. County staff has been very helpful with these two projects, especially the Assistant County Administrator.

Six Mile Loop Trail The Board should be receiving recommendations on the loop trail from the Virginia Tech Community Design Assistance Center in the near future.

Grants The Board should have received information from Victoria Cochran about grant funding available from National Association of Counties (NACo) for police and mental health agencies. The County will have to authorize the application. Supervisor Muffo asked for the Board's consideration when the grant application is submitted to the Board for approval.

## **INTO CLOSED MEETING**

On a motion by Annette S. Perkins, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- Section 2.2-3711      (1)      Discussion , Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
1. Towing Advisory Board  
2. Personnel
- (7)      Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel
1. Montgomery County v. Epperly
- (3)      Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body
1. County Government Center

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Doug Marrs
Steve L. Spradlin		
Annette S. Perkins		
Gary D. Creed		

John A. Muffo  
James D. Politis

### **OUT OF CLOSED MEETING**

On a motion by John A. Muffo, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Doug Marrs
Steve L. Spradlin		
Annette S. Perkins		
Gary D. Creed		
Mary W. Biggs		
James D. Politis		

### **CERTIFICATION OF CLOSED MEETING**

On a motion by John A. Muffo, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

### **VOTE**

### **AYES**

Mary W. Biggs  
Steve L. Spradlin  
Annette S. Perkins  
Gary D. Creed  
John A. Muffo  
James D. Politis

NAYS

None

ABSENT DURING VOTE

Doug Marrs

ABSENT DURING MEETING

Doug Marrs

APPOINTMENTS

**R-FY-05-46**

**TOWING ADVISORY BOARD APPOINTMENTS**

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints the following to the Towing Advisory Board:

**Matt McMurray** and **Derek Lancaster** are appointed as Towing and Recovery Operator company representatives and **Jeff Gibson** as alternate effective September 14, 2004 and expiring September 13, 2006; and

**Joseph V. Gorman, Jr.** is appointed as Citizen representative and **James L. Leedy** as his alternate effective September 14, 2004 and expiring September 13, 2006.

BE IT FURTHER RESOLVED, **Barry Harmon** is appointed as Towing and Recovery Operator company representative effective September 14, 2004 and expiring September 13, 2007; and

**Wayne Myers** is appointed as Citizen representative effective September 14, 2004 and expiring September 13, 2007; and

**Malvin L. Wells** is appointed as Fire/Rescue Department representative and **Jimmy Epperly** as his alternate effective September 14, 2004 and expiring September 13, 2007.

September 13, 2004

Page 31 of 34

BE IT FURTHER RESOLVED, **Sergeant Mike King** is appointed as State Police representative and **1<sup>st</sup> Sergeant Walter Viohl** as his alternate effective September 14, 2004 and expiring September 13, 2008; and

**Daniel P. Caldwell** is appointed as Citizen representative effective September 14, 2004 and expiring September 13, 2008; and

**Lieutenant Bradley N. St.Clair** is appointed as Sheriff's Office representative and **Corporal Mark E. Hollandsworth** as his alternate effective September 14, 2004 and expiring September 13, 2008.

BE IT FURTHER RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the appointment of the State Police, Montgomery County Sheriff's Office and Fire/Rescue Department Representatives and their alternates are contingent upon their continued employment and association with the Law Enforcement Agency or Fire/Rescue Department they represent and that termination or resignation from such employment or association with their respective Agency or Department would constitute a voluntary resignation from the Towing Advisory Board.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Doug Marrs
Gary D. Creed		
John A. Muffo		
Annette S. Perkins		
Steve L. Spradlin		
James D. Politis		

### **OTHER BUSINESS**

#### **R-FY05-51** **A RESOLUTION AUTHORIZING** **8% SALARY INCREASE** **FOR COUNTY ATTORNEY**

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby authorizes an 8% salary increase for the County Attorney effective September 1, 2004.



The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Doug Marrs
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
Steve L. Spradlin		
James D. Politis		

**R-FY05-52**  
**A RESOLUTION AUTHORIZING**  
**THE COUNTY ATTORNEY**  
**TO SERVE AS LEGAL COUNSEL FOR**  
**THE MONTGOMERY-FLOYD REGIONAL LIBRARY BOARD**

On a motion by Mary W. Biggs, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby authorizes the County Attorney to serve as legal counsel to the Montgomery-Floyd Regional Library Board.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Doug Marrs
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
Steve L. Spradlin		
James D. Politis		

**ADJOURNMENT**

On a motion by John A. Muffo, seconded by Gary D. Creed and carried unanimously, the Board adjourned to Monday, September 20, 2004 at 6:30 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
------------	------------	---------------

Mary W. Biggs	None	Doug Marrs
Gary D. Creed		
Annette S. Perkins		
John A. Muffo		
Steve L. Spradlin		
James D. Politis		

The Board adjourned at 11:28 p.m.

APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
James D. Politis B. Clayton Goodman, III  
Chair County Administrator